

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
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U.S. DISTRICT COURT E.D.N.Y.
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BROOKLYN OFFICE

-----X
DOLLAR PHONE ACCESS, INC.,
a New York Corporation,

Plaintiff,

-against-

AT&T INC., *a Delaware Corp.*, et al.,

Defendants.
-----X

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

14-CV-3240 (SLT)(LB)

TOWNES, United States District Judge:

In a Report and Recommendation dated December 22, 2014, Magistrate Judge Lois Bloom recommended that this Court: (1) grant Defendants' motion to transfer this action to the Northern District of Texas; (2) deny Defendants' motion to dismiss for lack of personal jurisdiction as moot; (3) deny Plaintiff's request for jurisdictional discovery; and (4) deny without prejudice AT&T Inc. and AT&T Services, Inc.'s motion to dismiss for failure to state a claim. (*See* ECF No. 43.) Judge Bloom's Report and Recommendation advised the parties that any objections to the Report and Recommendation had to be filed within fourteen days from service thereof. To date, neither Plaintiff nor Defendants have filed any objections.

A district court need not review the factual or legal conclusions of the magistrate judge as to those portions of a report and recommendation to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 150, 106 S. Ct. 466, 472, 88 L. Ed. 2d 435 (1985). Accordingly, this Court adopts Judge Bloom's report and recommendation as the opinion of this Court pursuant to 28 U.S.C. § 636(b)(1).

CONCLUSION

For the reasons stated above, Magistrate Judge Bloom's Report and Recommendation dated December 22, 2014, is adopted in its entirety. Defendants' motion to transfer this action to the Northern District of Texas is granted. It is further ordered that Defendants' motion to dismiss for lack of personal jurisdiction is denied as moot, and Plaintiff's request for jurisdictional discovery is denied. AT&T Inc. and AT&T Services, Inc.'s motion to dismiss for failure to state a claim is denied without prejudice. Defendants may renew their motion in the transferee court.

SO ORDERED.

/s/ Sandra L. Townes

SANDRA L. TOWNES
United States District Judge

Dated:

January 29, 2015
Brooklyn, New York